

**A SUMMARY OF REQUIREMENTS
FOR
SMALL QUANTITY GENERATORS
OF HAZARDOUS WASTE**

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INTRODUCTION

Many essential services, including auto repair and dry-cleaners and institutions, such as schools and hospitals, produce hazardous waste. If you use cleaning solvents, oil, inks, paints, acids, or alkalines, for example, you may be a generator of hazardous waste.

As a generator, it is your responsibility to know your legal obligations under the Massachusetts Hazardous Waste Regulations. Inappropriate handling and disposal of hazardous waste has damaged water supplies and threatened human health. Increasingly, businesses find that meeting the legal requirements is good practice that protects the environment, the equity in their property and their neighbors and employees.

Under the "Superfund" law, you are liable for your hazardous waste and any damage it causes even after it leaves your site and is taken away by a transporter to a treatment, storage or disposal facility. You can be required to contribute to the costs of cleaning up any contamination, resulting from your wastes wherever they end up. It is important, therefore, that you determine how to prevent pollution before it begins.

The cost of waste disposal and liability coverage is escalating. Landfilling of many hazardous wastes is now banned. There are few commercial hazardous waste disposal facilities and their capacity is limited.

Reducing the amount of your hazardous waste may be the most economical and environmentally sound approach to meeting your requirements. Substituting non-hazardous for hazardous products, modifying your process, segregating non-hazardous from hazardous waste streams, recycling your waste and better housekeeping should be key considerations for you.

The Massachusetts Department of Environmental Protection (DEP) regulates all non-households (businesses and institutions) which generate any amount of hazardous waste. Radioactive wastes, unless mixed with hazardous waste, and infectious wastes are regulated by the Massachusetts Department of Public Health as well as by federal agencies.

This brochure is a summary of a portion of the Massachusetts Hazardous Waste Regulations and is organized as follows:

- Classification
- Paperwork
- Housekeeping
- Very Small Quantity Generators

It is designed to help you understand the regulations and will assist you in meeting your legal obligation and avoiding potential penalties. However, it is not a substitute for reading and complying with the full Hazardous Waste Regulations 310 CMR 30.000.

Because Massachusetts requirements are more stringent than the federal requirements, you will be in compliance with federal hazardous waste regulations when you meet the state standards.

The complete regulations are available at cost at the State House Bookstores. You can have them sent to you by calling Boston's bookstore (617) 727-2834, or (413) 784-1376 in Springfield. Ask for the most recent compilation of 310 CMR 30.000.

For a specific fact sheet for your industry, which will provide more detailed information, call the Hazardous Waste Regulatory Program's Compliance Assistance Line at (617) 292-5898.

CLASSIFICATION

Determine whether your waste is hazardous (310 CMR 30.100)

Common hazardous wastes are:

- waste oil
- solvents and thinners
- acids and bases/alkalines
- toxic or flammable paint wastes
- nitrates, perchlorates and peroxides
- abandoned or used pesticides
- some wastewater treatment sludges

There are two ways a waste may be identified as hazardous: it may be **listed** in the regulations (310 CMR 30.131-136) or it may be defined by its hazardous **characteristic** (310 CMR 30.120).

Hazardous waste may be a listed discarded chemical, an off-specification product, or a liquid or solid residue from an operation process, which has one or more of the characteristics below:

- * **Ignitable** (easily catches fire, flash point 140 F);
- * **Corrosive** (easily corrodes materials or human tissue, very acidic or alkaline, pH of ≤ 2 or ≥ 12.5);
- * **Reactive** (explosive, produces toxic gases when mixed with water or acid);
- * **Toxic** (can leach toxic chemicals as determined by a special laboratory test).

Your waste is considered **acutely hazardous** if it is on the list of acutely hazardous wastes (310 CMR 30.136). These wastes are extremely toxic or reactive and are regulated more strictly than other hazardous wastes.

To find out if your waste is hazardous check with:

- * the supplier of the product (request a material safety data sheet);
- * laboratories;
- * trade associations;
- * consulting engineers;

and verify by reviewing the Massachusetts Hazardous Waste Regulations.

Determine your generator status and regulatory requirements

Two activities determine your generator category: the *rate* at which you generate and *how much* you store (accumulate). The amount and length of time you can accumulate your wastes will vary according to the type of waste.

A **Large Quantity Generator (LQG)** generates more than 1,000 kilograms (2200 lbs.) of hazardous waste in a month, or more than 1 kilogram of acutely hazardous waste (acutely hazardous waste is listed in the Massachusetts regulations, 310 CMR 30.136). The waste must be shipped within 90 days. There is no limit to the amount which can be accumulated.

A **Small Quantity Generator (SQG)** generates less than 1,000 kilograms in a month, and/or less than 1 kilogram of acutely hazardous waste. The waste must be shipped within 180 days and accumulation is limited to 6000 kilograms in tanks and containers.

A **Very Small Quantity Generator (VSQG)** generates less than 100 kilograms in a month, generates no acutely hazardous waste, and accumulates no more than 1,000 kilograms at any time.

To understand how you are regulated, estimate your maximum monthly volume of waste oil and your maximum monthly volume of all other hazardous waste. The Guide to Determining Status and Regulatory Requirements on page 5 will assist you.

Example:

Your firm generates 55 gallons of spent solvent and 500 gallons of waste oil in a month. According to the Guide (see conversions), you are a Small Quantity Generator (SQG) of hazardous waste because you generate more than 100 kilograms but less than 1000 kilograms, and a Large Quantity Generator (LQG) of waste oil because you generate more than 1000 kilograms. Your regulatory status will be found on the fifth line [SQG/LQG].

Reading across, you may accumulate your solvent for as long as 180 days, or until you have reached a volume of 6000 kilograms (1500 gallons) (see page 10), whichever happens first. You must ship your waste oil every 90 days, regardless of the volume. You must obtain an EPA Identification Number and use a manifest for both wastes. You must manage your waste according to the accumulation area standards on page 8 and you must fulfill the emergency preparation and response requirements on page 11. You are not required to file an annual report or a contingency plan or provide full personnel training, which is necessary for large generators of hazardous waste.

This matrix does not reflect ACUTELY Hazardous waste

Regulatory Status		Hazardous Waste Management Accumulation Limits		Waste Oil Management Accumulation Limits		Transport Requirements		Management Requirements		
Hazardous Waste	Waste Oil	Time (Days)	Volume in Tanks and Containers (kg)	Time (Days)	Volume in Tanks and Containers (kg)	Must Use Manifest	May Self Transport Haz Waste and/or Waste Oil	Accumulation Area Standards	Emergency Preparation	Personnel Training & Contingency Plans & Biennial Rpt
NOTIFICATION TO EPA	LQG	LQG	90	NO LIMIT	90	NO LIMIT	YES		YES	YES
	LQG	SQG	90	NO LIMIT	180	6000	YES		YES	YES
	LQG	VSQG	90	NO LIMIT	NO LIMIT	1000	YES*	YES _(WO)	YES	YES
	LQG	NONE	90	NO LIMIT	N/A	N/A	YES		YES	YES
	SQG	LQG	180	6000	90	NO LIMIT	YES		YES	YES
	SQG	SQG	180	6000	180	6000	YES		YES	YES
	SQG	VSQG	180	6000	NO LIMIT	1000	YES*	YES _(WO)	YES	YES
	SQG	NONE	180	6000	N/A	N/A	YES		YES	YES
	VSQG	LQG	NO LIMIT	1000	90	NO LIMIT	YES*	YES _(HW)	YES	YES
	NONE	LQG	N/A	N/A	90	NO LIMIT	YES		YES	YES
TO DEP	VSQG	SQG	NO LIMIT	1000	180	6000	YES*	YES _(HW)	YES	YES
	VSQG	VSQG	NO LIMIT	1000	NO LIMIT	1000	YES*	YES	YES	
	VSQG	NONE	NO LIMIT	1000	N/A	N/A	YES*	YES	YES	
	NONE	SQG	N/A	N/A	180	6000	YES		YES	YES
	NONE	VSQG	N/A	N/A	NO LIMIT	1000	YES*	YES	YES	

* - A manifest must be used for the VSQG category unless self transported.

Definitions:	<u>Regulatory Status</u>	<u>Kilograms/ Month (Generation)</u>	Conversions::	<u>Kilograms</u>	<u>Pounds</u>	<u>Gallons (varies by substance)</u>
	LQG	1000 OR MORE		100	220	25-27
	SQG	100-999		1000	2200	250-270
	VSQG	LESS THAN 100		6000	13200	1500-1620

PAPERWORK

The Manifest (310 CMR 30.310)

As a generator you always retain responsibility for your hazardous waste. If your waste is dumped or disposed of improperly, you can be held responsible. It is therefore important that you know where your waste is going and that it is handled properly and safely.

Federal law (the Resource Conservation and Recovery Act of 1976, known as RCRA) requires a national 'cradle to grave' tracking system for hazardous waste. In Massachusetts, every shipment of hazardous waste by a large or small generator must be transported by a licensed hauler and sent to a licensed treatment, storage or disposal facility (TSDF) or a permitted recycling facility and must be accompanied by a shipping document, called the Uniform Hazardous Waste Manifest.

You are responsible for completing the generator portion of the manifest. Directions for the distribution of the copies are on the back of the manifest. A copy will be returned to you when the facility has accepted your shipment.

If you do not receive a copy of the manifest from the receiving facility within 35 days of the date when your waste was shipped, you should contact your transporter or the operator of the facility to determine the status of your waste. If you have still not received the manifest within 45 days, you must file an Exception Report, explaining the efforts you've taken, with the DEP's Business Compliance Division and with the state where the designated facility is located.

If you are shipping hazardous waste directly to an out-of-state designated facility, you must submit a photocopy of Copy 3 to the Department within 30 days of receiving your copy from the designated facility.

Note the generator's certification statement on your manifest, which you must sign:

"If I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford."

All generators must keep copies of all manifests, any records of tests and analyses done of their hazardous waste, and records of waste determinations (including any determinations that their wastes are not hazardous) for at least three years, and for the duration of any enforcement action.

The EPA Identification Number (EPA ID) (310 CMR 30.303)

As a Small Quantity Generator of Hazardous Waste, to have your waste accepted by a licensed hauler or treatment/storage facility, you will need to obtain a federal Identification Number. The Environmental Protection Agency (EPA) will assign a 12-digit number, such as **MAR999999999**, which is unique for your location. Enter this number in Block **1** on each manifest.

In order to get an EPA ID, call DEP (617-338-2255 or 1-800-462-0444, outside the 617 area code) or go to <http://www.mass.gov/dep/bwp/dhm/files/hwepaid.pdf> for an application. Mail the completed application to the office listed in the instructions. Your number will be mailed to you within a few months. While you are waiting for your ID, you can use a temporary ID beginning with the letters MP, followed by your 10-digit telephone number.

The ID number is site-specific. You are required to notify the Bureau of Waste Prevention in your DEP Regional office of any change in your address, name of company, contact person or generator status. (See listing of towns by DEP Region on the back page.)

Shipping Your Hazardous Waste (310 CMR 30.304, 30.305)

All hazardous waste must be transported in containers that are labeled with the words HAZARDOUS WASTE, the name of the waste, type of hazard (e.g., toxic, flammable), generator's name, address and EPA ID number. Refer to the container standards described on page 8.

A list of licensed transporters is now available on DEP's Website at www.mass.gov/dep/ under the Bureau of Waste Prevention: you may also call DEP at (617) 292-55576. Transporters may assist you in preparing your waste for shipment.

Annual Compliance Assurance Fee (310 CMR 4.03)

All Small Quantity Generators of hazardous waste^{*} are billed an annual compliance fee of \$645 to cover costs of the services provided by the Department. These services include, but are not limited to, notification processing, compliance inspection, compliance assistance hot line, and information services.

As a Small Quantity Generator of hazardous waste you must notify the Department if you intend to cancel or modify your registration in any way. Any changes to your generator status must be received by the Department before July 1 to change your annual compliance fee for the upcoming fiscal year.

^{*} Small Quantity Generators of waste oil only are not subject to the fee.

HOUSEKEEPING

Accumulation Area Standards (310 CMR 30.351[8])

Your accumulation or storage area must meet the following conditions for both containers and tanks. (**VSQG** indicates VSQG's are also required to meet the standard.)

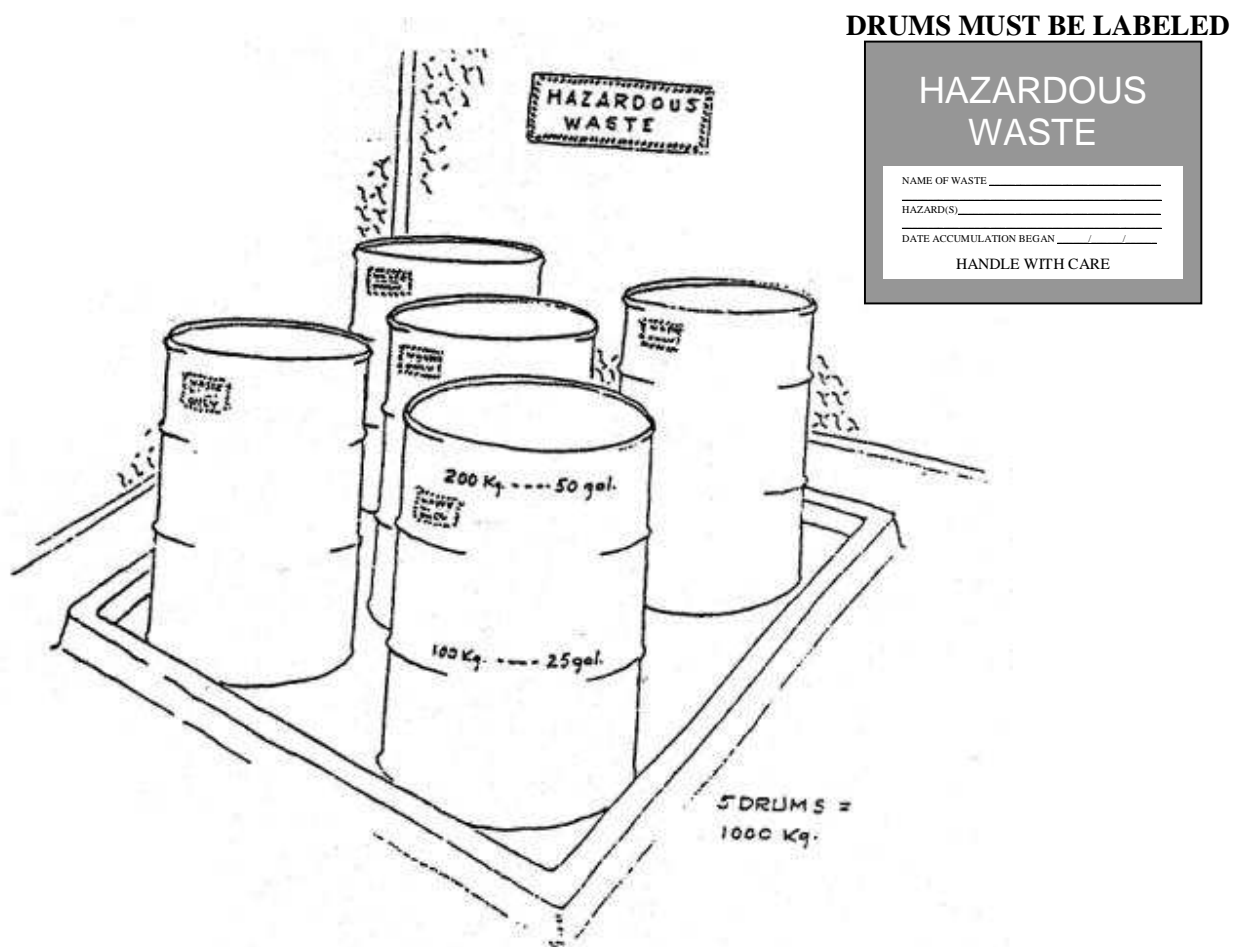
- VSQG** • Above-ground tanks and containers must be on a surface which does not have any cracks or gaps and is impervious to the hazardous wastes being stored and on pallets if containers are stacked;
- VSQG** • Area must be secured against unauthorized entry;
- VSQG** • Area must be clearly marked (e.g., by a visible line or tape, or by a fence) and be separate from any points of generation;
- VSQG** • Area must be posted with a sign: "HAZARDOUS WASTE" in capital letters at least one inch high;
- VSQG** • An **outdoor** area must have secondary containment, such as a berm or dike, which will hold any spill or leaks at:
 - 10% of the total volume of the containers, or
 - 110% of the volume of the largest container, whichever is larger.Any spillage must be promptly removed.

(In general, if the hazardous waste being stored has no free liquids, no pad or berm is required, provided that the accumulation area is sloped, or the containers are elevated.)

Standards for Containers and Tanks [310 CMR 30.341(2), 30.680, 30.690]

- VSQG** • Each container and tank must be clearly and visibly labeled throughout the period of accumulation with the following:
 - the words "HAZARDOUS WASTE:
 - the name of the waste (e.g., waste oil, acetone)
 - the type of hazard(s) (e.g., ignitable, toxic)
- SQG ONLY** - date on which accumulation began.
- VSQG** • Each container must be in good condition

- VSQG**
- Wastes of different types must be segregated. This includes not mixing waste oil or used fuel oil with other wastes. Be careful not to put incompatible wastes in the same container or put wastes in unwashed containers that previously held incompatible wastes.
- VSQG**
- Separate containers of incompatible wastes by a berm, dike, or similar structure.
- VSQG**
- Each container holding hazardous wastes must be tightly closed throughout the period of accumulation, except when the waste is being added or removed.
 - Containers holding ignitable or reactive wastes must be at least 15 meters (50 ft.) from the property line. If this is not possible or practical, you must store such containers in compliance with all applicable local ordinances and by-laws.
 - Inspect your accumulation area at least once a week for any leaking or deterioration of your containers. You must have enough aisle space between your containers to allow for inspections.



Accumulation Time Limits (310 CMR 30.351[5])

As a small quantity generator (SQG), you may accumulate up to 6000 kgs (1500-1620 gallons) in containers and *tanks* for as long as 180 days. You have two upper limits - time and volume. Whichever is reached first determines the date on which you must ship your waste.

Satellite Accumulation (310 CMR 30.351[4])

Additional flexibility is offered by allowing you to accumulate up to 55 gallons of hazardous waste (per wastestream), or one quart of acutely hazardous waste, at each point where you generate your waste, if you meet the following conditions:

- The waste must be generated from a process at the location of the satellite accumulation;
- Each satellite accumulation area can have only one container for each waste stream in use at a time;
- Each satellite accumulation area must be managed by the person who is directly responsible for the process producing the waste;
- The waste must be moved to the main designated accumulation area within three days after the container is full.

Accumulation of Waste Oil in Underground Tanks (including those resting directly on the ground) [310 CMR 30.253(1)(g)]

All underground tanks must have tight caps, leak detection devices and cathodic protection with an overflow and spill prevention device by December 22, 1998.

- Tanks must have continuous leak detection capability through an in-tank monitoring device or be double-walled.
- Keep a log of all test results, beginning and ending measurements, variation and average figures, for at least 3 years.
- Report a difference of a month's average greater than 5 gallons (for tanks containing 550 gallons or less) to your DEP regional office.

EMERGENCY PREPARATION AND RESPONSE (310 CMR 30.351(9))

Equipment

To minimize the risk of fire, explosion, or release of hazardous wastes that may contaminate the environment, you are required to have on site, and immediately accessible to your hazardous waste handling area, the following (unless the hazards posed by your wastes do not require one of them):

- * an alarm or communication system which can provide emergency instruction to employees;
- * a telephone, two-way radio or other device which can summon police, fire or emergency response teams;
- * portable fire extinguishers and/or fire control equipment (e.g. foam, inert gas), and spill control/decontamination equipment;
- * adequate supply and pressure of water, automatic sprinklers or water sprays, or foam-producing equipment.

All your equipment must be periodically tested and properly maintained so it will work during an emergency.

Prepare Your Employees

You must thoroughly familiarize each of your employees with all the waste handling and emergency procedures that may be needed for each of their jobs. An employee must have immediate access to alarm or communication devices, either directly or through another employee, whenever hazardous waste is being handled. If your operation is at any time being handled by a single employee, that person must have immediate access to a telephone or two-way radio.

For easy movement of employees and emergency equipment, you must maintain adequate aisle space in the area of hazardous waste handling. Mark all exits clearly.

Notify Local Authorities

You must make every reasonable attempt to carry out the following arrangements, in regards to the waste you produce:

- * Familiarize your police department, fire department, local boards of health, and any emergency response teams with the hazardous nature of your waste; the layout of your site, including entrances and evacuation routes, and the location where your employees usually work;
- * Familiarize local hospitals with the hazards of your waste and the types of injuries that could result from any accidents;
- * Obtain agreements with emergency response teams and contractors, and local boards of health;
- * If more than one police and/or fire department might respond to an emergency, make an agreement with the department which will have primary emergency authority and specify others as support.

If such arrangements cannot be made, a copy of a signed and dated letter which demonstrates an effort to make these arrangements from you, the generator, to the state or local entity will be considered sufficient.

Emergency Coordinator

You must designate at least one employee to be on call (or on the premises) at all times. This person is the emergency coordinator and is responsible for coordinating all emergency response measures.

Emergency Response

You must have posted next to each telephone near your waste generation area the following:

- * name(s) and telephone number(s) of your emergency coordinator(s);
- * location(s) of the fire control equipment and any fire alarms;
- * telephone number of the fire department, or if there is a direct alarm system, instructions on how to use it;
- * evacuation routes, where applicable.

If any of the following emergencies occur:

Fire - attempt to extinguish the fire and/or call the fire department;

Spill or leak - contain the flow as quickly as possible and as soon as is practical, clean up the waste and any soil or other materials which may have become contaminated with waste;

A release (spill or leak) or threat of release, fire or explosion of hazardous waste that may threaten human health or the environment

- Call the appropriate DEP Regional Office (see page 17) and ask for Emergency Response, or the Central Boston office at (617) 556-1133 or (888) 304-1133.

and

- Call the National Response Center's 24-hour toll-free number (1-800-424-8802).

VERY SMALL QUANTITY GENERATOR (VSQG) (310 CMR 30.353)

Registration

If you generate less than 100 kgs a month of hazardous waste, and no acutely hazardous waste, you are eligible to register as a Very Small Quantity Generator (see page 5 for the generation and accumulation limits). To qualify as a Very Small Quantity Generator you must register with DEP (see page 16).

Housekeeping Requirements (see pages 8 and 9 for VSQG identified lines)

Treatment/Disposal Options

As a registered VSQG you have the following options for handling your waste:

You may recycle or treat your waste, provided the process you describe in your registration is acceptable to DEP;

You may transport your waste to another generator who is in compliance with the regulations and who will count your waste as part of their generation;

You may transport your waste in your own vehicle to a licensed treatment, storage or disposal facility, or permitted recycling facility, by pre-arrangement;

You may use a licensed transporter and a manifest form. Use of the manifest requires an ID number. (VSQG's and SQG's of waste oil use a number beginning with the letters MV followed by their 10-digit telephone number.)

Self-Transport Option

As a registered VSQG you may transport your own hazardous waste under the following conditions:

You transport only the waste that you generated on your premises;

You do not transport more than 200 kgs at one time;

VSQG (cont.)

Your waste is in containers that are:

- no larger than 55 gallons in volume
- compatible with the waste
- tightly sealed
- labeled as "HAZARDOUS WASTE"
- labeled with the name of the waste and the type of hazard
- tightly secured to the vehicle

You do not transport incompatible wastes in the same shipment;

In the event of a spill or leak of hazardous waste that may threaten human health or the environment you notify DEP or the State Police and the National Response Center, as described on page 13;

You must have a copy of your registration with DEP in the vehicle;

You must be in compliance with federal Department of Transportation (617-494-2770) and Massachusetts Department of Public Safety (978-567-3300) requirements.

Record-keeping

If you are not using a licensed transporter but are transporting your own wastes, you do not need a manifest form. You must, however, keep a record of the type and quantity, as well as the date, of the transport and treatment or disposal of your waste. You will need proof of the receipt of the waste by the facility or generator.

You must keep receipts or manifests of waste shipped and records of waste analysis for at least 3 years, or for the duration of any enforcement action by DEP.

Accumulation Limits

You may accumulate up to 1000 kgs (approximately 270 gallons or five 55 gallon drums) of hazardous waste in containers that meet the standards on pages 8-9 with no time limit.

There is no annual compliance assurance fee for Very Small Quantity Generators.

STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODES

Automotive Industry

5013 Auto parts/supplies
 7512 Autobody shops
 7549 Automotive repair services
 5511 Car dealers, new & used
 7542 Car washes
 7699 Engine repair
 5541 Gasoline service stations
 7538 General auto & truck repair
 4231 Motor freight terminals
 371 Motor vehicles & equipment
 5093 Scrap & waste dealers
 4214 Trucking & storage

Construction, Building Trades

2951 Asphalt paving manufacture
 1521 Building contractor (single family)
 7349 Building maintenance
 1751 Carpenter, cabinetmaker
 1731 Electrical contractor
 8711 Engineering, architecture
 1749 Excavating contractor
 1752 Floor laying
 154 General contractor (non-residential)
 162 Heavy construction contractor
 1721 Painting, paper hanging
 1611 Paving contractor
 1711 Plumbing, heating
 1761 Roofing
 1442 Sand & gravel

Educational Institutions

8221 Colleges & universities
 8211 Elementary & secondary schools
 8412 Museums
 8922 Non-commercial educational scientific & research organizations
 8249 Vocational schools

Food Industry (Retail)

5461 Bakery products
 5451 Dairy products

Machine shops/metal fabrication

3362 Brass, bronze & copper castings
 3432 Brass goods/plumbing fixtures
 3471 Electroplating, anodizing
 3431 Enameled iron & metal ware
 3499 Fabricated metal products
 344 Fabricated structural metal
 346 Forgings & stamping
 3429 Hardware
 3569 Heavy equipment
 391 Jewelry silverware, plated ware
 3544 Job shops, tool & die
 355 Machinery
 3412 Metal barrels, drums
 3398 Metal heat treating
 3451 Screw machine products
 3444 Sheet metal work
 333 Smelting – non-ferrous metals
 334 7692 Welding

Manufacturing

362 Electric appliances (industrial)
 2851 Paints, varnish
 2621 Paper mills
 2821 Plastics, liquid resins
 367 Printed circuit boards, semiconductor
 243 Wood products, mill work

Medical Services

8021 Dentists
 8060 Hospitals
 8071 Medical & X-ray laboratories
 8011 Physicians
 8731 Research laboratories
 074 Veterinarians

Municipal Services

9224 Fire
 9221 Police
 9229 Public works
 4953 Refuse, landfills

Other Services

7623 Air conditioning repair
 764 Antiques repair
 8999 Art restoration
 7231 Beauty salons
 4493 Boat yard
 7699 Cesspool cleaning
 7342 Disinfecting
 7216 Dry cleaning
 7641 Furniture stripping
 078 Landscaping, horticultural
 7389 Miscellaneous business services
 5983 Motor oil retailer
 7512 Paint shops
 1611 Paving contractor
 722 Photographers
 4311 Postal, U.S.
 5093 Scrap & waste dealers
 4171 Transportation (bus)
 448 Transportation (water)

Printing Industry

7334 Blueprinting, photocopying
 2731 Book publishing
 2754 Commercial gravure
 2752 Lithographic printing
 2711 Newspaper publishers
 2721 Periodical publishers
 2793 Photoengraving
 7384 Photofinishing laboratories
 226 Screenprinting